



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 150-6	Subject: CONDITIONAL RELEASE OF DOC OFFENDERS
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	Revision Date: 12/26/02; 03/14/03; 07/21/03; 03/06/04; 03/01/05; 08/01/05; 10/27/06; 02/02/07
Signature: /s/ Ron Alsbury	Effective Date: 06/17/02

I. BUREAU DIRECTIVE: Probation and Parole Bureau employees will follow established procedures for appropriate release and/or supervision of offenders placed on Conditional Release from Community Corrections Programs.

II. AUTHORITY:

2-15-112, MCA	<i>Duties and Powers of Department Heads</i>
41-5-206, MCA	<i>Filing in District Court Prior to Formal Proceedings in Youth Court</i>
41-5-1605, MCA	<i>Revocation of Stay-in Extended Jurisdiction Prosecution</i>
45-7-306, MCA	<i>Escape</i>
46-18-201, MCA	<i>Sentences that May Be Imposed</i>
46-23-1004, MCA	<i>Duties and Responsibilities of the Department</i>
46-23-1023, MCA	<i>Arrest of alleged parole violator</i>
46-23-1031,(1)(a) MCA	<i>Supervisory Fees – Account Established</i>
46-23-1102, MCA	<i>Authority of Governor to make Interstate Compact regarding probation and parole</i>
46-23-1115, MCA	<i>Interstate Compact for Adult Offender Supervision –Enactment and Text – Short Title</i>
46-24-203, MCA	<i>Prompt Notification to Victims and Witnesses of Certain Offenders</i>
53-1-201, MCA	<i>Purpose of Department of Corrections</i>
53-1-203, MCA	<i>Powers and Duties of Department of Corrections</i>
53-30-111, MCA	<i>Clothing and Money Furnished on Discharge or Parole</i>
53-30-302, MCA	<i>Purpose</i>
53-30-326, MCA	<i>Escape from Custody</i>
DOC 4.7.13	<i>Conditional Release of DOC Commitments</i>

III. DEFINITIONS:

Community Corrections Program/Facility means Prerelease Centers (PRC), WATCH Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Intensive Supervision Programs (ISP), Missoula Assessment and Sanction Center (MASC), Passages Assessment & Sanction Center (Passages ASC), and Treasure State Correctional Training Center (TSCTC). The Women’s Intensive Challenge Program (ICP) will also be eligible for conditional release; however this program is administered through the prison system and is not considered a community corrections program.

Conditional Release Offender means an offender who is committed to the Department of Corrections and is supervised by the probation and parole bureau prior to the expiration of their sentence.

Criminally Convicted Youth means a youth convicted in a District Court pursuant to 41-5-206, MCA.

Dead Time means the period of time from when a warrant is issued and the whereabouts of an offender

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is unknown. Dead time will start from the date that the warrant is issued by the Interstate Office to the date that the offender is detained on the Department's warrant. Dead time only applies to conditional release offenders. The CCD Administrator will be the final authority relative to issuance of dead time.

DOC Commitment means a commitment by the district court of an adult offender, or a criminally convicted youth, or extended jurisdiction youth, for placement in a state correctional facility or program operated by the Department or under the authority of the Department.

Immediate Family – means parents, legally married spouse or adult children.

ICAOS – means Interstate Commission for Adult Offender Supervision

Prison means Montana State Prison (MSP), Great Falls Regional Prison (GFRP), Dawson County Correctional Facility (DCCF), Crossroads Correctional Center (CCC-Shelby), and Montana Women's Prison (MWP).

Receiving State means the state that Montana is requesting to assume supervision of the offender.

Resident- means a person who has continuously inhabited a state for at least one year prior to the commission of the offense for which the offender is under supervision, and intends that such state shall be the person's principle place of residence and has not, unless incarcerated, relocated to another state or states for a continuous period of six months or more with the intent to establish a new principle place of residence.

Sending State means the state requesting the transfer of offender supervision.

Subsequent Receiving State means a state, other than the original receiving state, which is requested to assume supervision of the offender.

IV. PROCEDURES:

A. **Conditional Release to Community Corrections Supervision From the Missoula Assessment & Sanction Centers (MASC) and Passages Assessment & Sanction Center (Passages ASC) :**

1. Only DOC commits and community corrections program jail sanctions will be admitted to MASC/Passages ASC.
 - a. All DOC committed offenders who are not placed in a Prerelease, CCP, ICP, Passages ADT, on ISP, or in TSCTC, will initially be admitted to MASC/Passages ASC for screening and assessment.
 - b. Offenders who complete the requirements of the MASC/Passages ASC programs (30 – 120 days) will be transferred to appropriate community corrections programs which include: TSCTC, CCP, ICP, Passages ADT, WATCH, PRC, ISP, or conditionally released to Probation & Parole Bureau supervision.
 - c. Those offenders who do not complete the programs or are determined inappropriate for community placement will be sent to prison.
 - d. Offenders sent to prison will not be eligible for conditional release.

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2. **Eligible Offenders**

- a. Offenders committed to the Department of Corrections, placed in a Community Corrections Facility/Program and being released to Probation & Parole Bureau supervision.
- b. Offenders who have at least 60 days of conduct without a severe disciplinary infraction
- c. Offenders, who enter MASC/Passages ASC and are transferred to community based corrections programs, will not be eligible for parole and can only be conditionally released.
- d. Offenders who have formally violated their Conditional Release and been returned to the prison will not be considered again for Conditional Release.
- e. Offenders who had had a previous stay at MASC/Passages ASC will not be eligible for return placement to either of these programs and shall be sent directly to Montana State Prison/Montana Women's Prison unless staffed and approved with the MASC/Passages ASC program administrators.
- f. **Conditional Release Offender with New Felony Conviction:** If a conditional release offender receives a new felony conviction it is possible in extreme cases to have an override to a community corrections placement, instead of an automatic placement at Montana State Prison or Montana Women's Prison. The supervising Probation Officer will staff the case with the Regional Administrator to determine if an override from the Bureau Chief is appropriate for placement in the community corrections placement.

3. **Release Procedures:**

MASC/Passages ASC IPPO's will recommend to the Community Corrections Division Administrator names of offenders who have met treatment requirements and are eligible candidates for conditional release.

Release Processing:

- a. The MASC/Passages ASC IPPO will complete and submit *P&P 150-6 (C) DOC Transfer Form* to obtain the written approval of the Community Corrections Division Administrator. The IPPO will indicate in the comments section on the *DOC Transfer Form* pertinent information relative to the offender such as length of time in the program, any treatment completions, any noted concerns or problems and any other pertinent information to assist the CCD Administrator in review of the case.
- b. After review and recommendation, the Community Corrections Division Administrator will forward the *DOC Transfer Form* to the Director for final approval/denial and signature.
- c. The MASC/Passages ASC IPPO will be notified of offenders approved for conditional release. The MASC/Passages ASC IPPO will forward the signed *P&P 150-6 (C) DOC Transfer Form* and Offender Field File to the Probation & Parole Officer for investigation of placement. Probation & Parole Officers will have **5 working days** to investigate the proposed plan, and notify the IPPO by E-mail or phone the results of the investigation. Any concerns relative to residence will be immediately communicated to the IPPO. Officers may request additional special conditions on offenders prior to reentry into the community by notifying the IPPO prior to the offender's release. The IPPO will address such concerns with the Community Corrections Division Administrator. Employment will not be a consideration for rejection of the offender coming into the community as a conditional release.

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- d. The IPPO will coordinate the date of release between the Probation & Parole Officer and the releasing facility.
- e. The IPPO will coordinate DNA Testing and Violent/Sexual Offender Registration.

4. Notifications

The Passages ASC/MASC IPPO will coordinate the conditional release of an approved offender. The Record's Department staff will process victim notifications, released arsonist reporting and other notifications required by statute.

The IPPO will:

- a. Notify the Classification & Placement Officer at MSP/MWP, who is responsible for entering release information into the ACIS/PRO-Files electronic information system through the *Admissions/Discharge Report (ADR)*.
- b. Notify the offender.
- c. Send form *P&P 150-6 (D) Notice of Conditional Release* or other document or memo used within the various facilities to Supervisors and to all applicable entities, notifying them of the release date of the offender.
- d. Have the offender read and sign form *P&P 150-6 (E) Terms and Conditions of Conditional Release Program*, *P&P 80-1(A) Travel Permit*, *P&P 150-6 (A&B) Conditions of Conditional Release*, *P&P 60-1 (H) Wage Garnishment Authorization*, *Sexual/Violent Offender Registration* (if applicable), and *P&P 60-12 (A) Duty to Register Letter* (if applicable) and distribute paperwork accordingly. (The original of the *Travel Permit*, *Conditions of Conditional Release*, *Terms and Conditions of Conditional Release* and a copy of *SVOR Registration* and *Duty to Register Letter* will be forwarded to the P&P Officer for inclusion in the offender's field file. The original of the *Wage Garnishment Authorization* will be forwarded to the DOC Restitution Unit and a copy forwarded for inclusion in the field file.)
- e. Notify the Regional Administrator or Parole Officer II.
- f. Verify that an NCIC/CJIN check has been run on all offenders leaving on a Conditional Release to confirm that the offender has no outstanding warrants
- g. Check to see if DNA testing is required and has been completed. If not completed, will coordinate DNA testing prior to the offender's release.

5. Offender Account

The IPPO will notify the inmate accounts office of the date of release. A check for the balance in the offender's account will be available for the offender upon release.

6. Personal Property

When an offender is released from custody, all state property will be collected by the facility/program. Basic dress out clothing will be provided to offenders who were committed without salvageable or suitable clothing. The facility will provide the offender with his/her State issued identification.

7. Medical Clearance

Medical staff will be notified to perform any necessary medical screening, any remaining medical treatment procedures, or to make necessary referrals for community medical follow-up. A temporary supply of critical prescription medication may be provided on a case-by-case basis in accordance with Department Policy 4.5.22 Continuity of Offender Health Care.

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B. Conditional Release to Community Corrections Supervision From Prerelease, ISP, TSCTC ICP, Passages ADT, WATCH & Connections Corrections:

1. Eligible Offenders

- a. Offenders committed to the Department of Corrections, placed in a Community Corrections Facility/Program or ICP and being released to Probation & Parole Bureau supervision.
- b. Offenders who have at least 60 days of conduct without a severe disciplinary infraction
- c. DOC committed offenders admitted to community corrections programs from MASC/Passages ASC who have not been to prison on their current sentence will not be eligible for parole, but may be conditionally released.
- d. An offender who violates and is placed in prison from a community corrections facility/program will not be eligible for a conditional release.
- e. Offenders who have formally violated their Conditional Release and been returned to the prison will not be considered again for Conditional Release.

2. Release Procedures:

The following individuals will be responsible for the procedures listed below for offenders being released onto conditional release status:

- The MSP IPPO for offenders in the Connections Corrections Program
- The TSCTC IPPO for offenders in TSCTC
- The MWP IPPO for offenders in the ICP Program
- The Prerelease Liaison (POII) for offenders in Prerelease Centers (See *P&P 150-6 (F) Prerelease Liaison Procedures and Checklist* for a quick reference of duties and responsibilities.)
- The ISP Officer for offenders on ISP (See *P&P 150-6 (G) ISP Officer Procedures and Checklist* for a quick reference of duties and responsibilities.)
- The Passages Liaison (POII) or IPPO for offenders in the Passages Program (See *P&P 150-6 (F) Prerelease Liaison Procedures and Checklist* for a quick reference of duties and responsibilities.)
- The WATCH IPPO for offender in WATCH

The IPPO, Prerelease Liaison, or ISP Officer will recommend to the Community Corrections Division Administrator names of offenders who have met treatment requirements and are eligible candidates for conditional release. The ISP Officer must first staff the case with the Regional Administrator / POII for approval prior to forwarding the request to the Community Corrections Division Administrator. For offenders in the ICP program, the IPPO will recommend to the Warden names of offenders eligible for conditional release.

Release Processing:

- a. The IPPO, Prerelease Liaison or ISP Officer will complete and submit *P&P 150-6 (C) DOC Transfer Form* to obtain the written approval of the Community Corrections Division Administrator. For Offender in the ICP Program, IPPO will submit *P&P 150-6 (C) DOC Transfer Form* to the Warden for approval. The IPPO, Prerelease Liaison or ISP Officer will indicate in the comments section on the *DOC Transfer Form* pertinent information relative to the offender such as length of time in the program, any treatment completions, any noted concerns or problems and any other pertinent information to

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- assist the CCD Administrator/Warden in review of the case.
- b. After review and recommendation, the Community Corrections Division Administrator/Warden will forward the *DOC Transfer Form* to the Director for final approval/denial and signature.
 - c. The IPPO, Prerelease Liaison, or ISP Officer will be notified of offenders approved for conditional release. The IPPO, Prerelease Liaison or ISP Officer will forward the signed *P&P 150-6 (C) DOC Transfer Form* and Offender Field File to the Probation & Parole Officer for investigation. Probation & Parole Officers will have **5 working days** to investigate the proposed plan and notify the IPPO, Prerelease Liaison or ISP Officer by E-mail or phone the results of the investigation. Any concerns relative to residence will be immediately communicated to the IPPO, Prerelease Liaison or Regional Administrator (for ISP offenders). Officers may request additional special conditions on offenders prior to reentry into the community by notifying the IPPO, Prerelease Liaison or Regional Administrator (for ISP Offenders) prior to the offender's release to conditional release. The IPPO, Prerelease Liaison or Regional Administrator (for ISP Offender's) will address such concerns with the Community Corrections Division Administrator. Employment will not be a consideration for rejection of the offender coming into the community as a conditional release.
 - d. The IPPO, Prerelease Liaison or ISP Officer will coordinate the date of release between the Probation & Parole Officer and the releasing facility/program.
 - e. The IPPO, Prerelease Liaison or ISP Officer will coordinate DNA Testing and Violent/Sexual Offender Registration.

3. **Notifications**

The IPPO, Prerelease Liaison, or ISP Officer will coordinate the conditional release of an approved offender. The Record's Department staff will process victim notifications, Released Arsonist Reporting and other notification required by statute.

For Offenders in Prerelease or ISP, the **Prerelease Liaison/ISP Officer** will:

- a. Coordinate the date of the release between the assigned Probation and Parole Officer and the releasing Prerelease Center or ISP Officer. (*see b. below when setting a date*). (Remember if the offender is a sexual/violent offender you will have to schedule 10 days from the date that the SVOR Registration form is completed.)
- b. Once a date has been established, notify MSP/MWP IPPO and the CCD Administrative Assistant by e-mail relative to the conditional release. The E-mail needs to identify the following:
 - What Prerelease Center/ISP Program the offender is leaving from
 - Offender name
 - Address Offender is being conditionally released to
 - Date scheduled for the Conditional Release
 - Who the offender is reporting to and what P&P Office
 - When the conditions of supervision are signed by the offender, a copy should be faxed the MWP/MSP IPPO to validate the release date.

MWP/MSP IPPO will run a CJIN check and will complete the *Admission Discharge Report* and distribute to the records and count office at MSP/MWP. (The local P&P

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Office may run the CJIN check if that office has the capability to do so). MSP/MWP IPPO will e-mail the Prerelease Liaison or ISP Officer when the CJIN check has been completed and indicate if there were any problems (detainers or warrants) with such. The Liaison/ISP Officer must give the IPPO (if not completed at the local P&P Office) **at least a 3 day notice** to allow for the CJIN check to be completed and to allow for MWP/MSP Records to get out any victim notifications.

- c. The Prerelease Liaison/ISP Officer will meet with the offender and have him/her sign the following:
 - *P&P 150-6 (E) Terms & Conditions of Conditional Release Program*
 - *P&P 80-1 (A) Travel Permit*
 - *P&P 156-6 (A&B) Conditions of Conditional Release (When the conditions of supervision are signed by the offender, a copy should be faxed the MWP/MSP IPPO to validate the release date.)*
 - *Sexual/Violent Offender Registration* (if applicable – remember that this needs to be done and sent out 10 days prior to the conditional release)
 - *P&P 60-12 (A) Duty to Register Letter* (if applicable)
 - *P&P 60-1 (H) Wage Garnishment Authorization* (For ISP there should already be a *Wage Garnishment Authorization* in the file for the time the offender has been on ISP supervision.)

All offenders in Prerelease and on ISP should have DNA testing done, however, the Prerelease Liaison/ISP Officer needs to make sure that if the offender is required to complete DNA testing that this has been completed and if not coordinate this testing prior to his/her release onto conditional release status .

The Prerelease Liaison/ISP Officer will forward the above documents to the P&P Officer for inclusion in the offender's field file. The original of the *Wage Garnishment Authorization* will be forwarded to the DOC Restitution Unit with a copy forwarded to the P&P Officer for inclusion in the offender's field file.

For offenders in TSCTC, CCP, or ICP, WATCH the **TSCTC/MSP/WATCH/ICP IPPO** and for offenders in the Passages Program the POII Liaison or IPPO will complete the following:

- a. Coordinate the date of the release between the assigned Probation and Parole Officer and TSCTC/CCP/WATCH/ICP/Passages. (Remember if the offender is a sexual/violent offender you will have to schedule 10 days from the date that the SVOR Registration form is completed.) .
- b. Notify the CCD Administrative Assistant of the date of the conditional release for offenders in TSCTC, WATCH Passages, and CCP (not ICP as this is a prison run program).
- c. Notify the Classification & Placement Officer at MSP/MWP, who is responsible for entering release information into the ACIS/PRO-Files electronic information system through the *Admissions/Discharge Report (ADR)*.
- d. Notify the offender.
- e. Send form *P&P 150-6 (D) Notice of Conditional Release* or other document or memo used within the various facilities to Supervisors and to all applicable entities, notifying them of the release date of the offender.

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- f. Have the offender read and sign form *P&P 150-6 (E) Terms and Conditions of Conditional Release Program*, *P&P 80-1(A) Travel Permit*, *P&P 150-6 (A&B) Conditions of Conditional Release*, *P&P 60-1 (H) Wage Garnishment Authorization*, *Sexual/Violent Offender Registration* (if applicable), and *P&P 60-12 (A) Duty to Register Letter* (if applicable) and distribute paperwork accordingly. (The original of the *Travel Permit*, *Conditions of Conditional Release*, *Terms and Conditions of Conditional Release* and a copy of *SVOR Registration* and *Duty to Register Letter* will be forwarded to the P&P Officer for inclusion in the offender's field file. The original of the *Wage Garnishment Authorization* will be forwarded to the DOC Restitution Unit and a copy forwarded for inclusion in the field file.)
- g. Notify the Regional Administrator or Parole Officer II.
- h. Verify that an NCIC/CJIN check has been run on all offenders leaving on a Conditional Release to confirm that the offender has no outstanding warrants
- i. Check to see if DNA testing is required and has been completed. If not completed, will coordinate DNA testing prior to the offender's release.

4. **Offender Account**

For offenders in a community corrections program, the IPPO or Prerelease Liaison will notify the inmate accounts office of the date of release. A check for the balance in the offender's account will be available for the offender upon release.

D. Supervision of Offenders on Conditional Release Status

It is mandatory that the Probation & Parole Officer enters a current living location on the Address Screen in ACIS/Profiles. This address screen needs to be kept current in ACIS in the event that the offender moves.

Offenders placed on Conditional Release status will be supervised according to the Probation & Parole Bureau Risk Assessment Scores. The Probation & Parole Officer will follow the same procedures as outlined in *P&P 60-1 Initial Sign Up* to P&P Supervision and *P&P 60-2 Supervision Strategies and Compliance Monitoring*. Offenders placed on conditional release will be subject to payment of supervision fees. (See P&P 60-9 Supervision Fees).

Offenders will NOT be eligible for parole and will be responsible to pay for their own medical costs.

E. Out-Of-State Travel

Offenders on conditional release status may be allowed to travel out-of-state for emergencies and work only. Offenders will not be allowed to travel out-of-state for vacations, weddings, etc. All out-of-state travel will be staffed with the Regional Administrator or POII for approval.

F. Interstate Compact Transfers for Conditional Release Offenders

A conditional release offender can request to relocate to another state to reside and work provided that offender is in fact a resident within the receiving state or has immediate family (as defined above) that resides within the receiving state and/or has a job transfer and a visible means of support. Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person.

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for Interstate Compact Transfer. The offender will receive a receipt for the \$50.00 or partial amount via the receipt book provided to each office by the Interstate Unit.

For those offenders determined to be unable to pay, *P&P 130-1 (B) Interstate Application Fee Waiver Request* will be filled out and submitted to the Regional Administrator for review and approval. **RA/POII will pre-approve all total fee waivers with the Deputy Compact Administrator.** For offenders in facilities or programs, the IPPO will forward all fee waivers to the Deputy Compact Administrator for review and approval.

Regional Administrator
or POII/IPPO

The original approved *Interstate Application Fee Waiver Request* will be attached to the interstate application. A copy of this form will be placed in the offender's field file.

P&P or ISP Officer/
IPPO/Liaison

8. **One** packet of file material is prepared and sent to the Montana Interstate Unit. The packet includes:

P&P or ISP Officer/
IPPO/Liaison

- ◆ *Offender's Application for Interstate Compact Transfer*, original
- ◆ *Consent to Random Drug Or Alcohol Testing And To Searches Based On Reasonable Suspicion*, original
- ◆ *Authorization For Release of Medical And Psychological Information*, original
- ◆ *Transfer Request*, original
- ◆ \$50.00 money order for application fee or *130-1 (B) Interstate Application Fee Waiver Request* (if applicable), original
- ◆ Yellow copy of offender receipt for payment (if applicable)
- ◆ Judgment
- ◆ Information
- ◆ Pre-Sentence Investigation or similar information from other reports
- ◆ Psychological reports, if available
- ◆ Medical condition which requires medication
- ◆ Criminal history
- ◆ Current supervision history
- ◆ Conditions of Supervision
- ◆ Photograph.
- ◆ Sexual/Violent Offender Information
- ◆ Fine/Restitution Information

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- ♦ Victim Information – on victim sensitive cases.
Any orders restricting contact.

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| 9. <i>Transfer Request</i> will be processed and forwarded to receiving state within five (5) working days. | MT Interstate Unit |
| 10. ACIS movement shall be completed when offender is accepted by the receiving state. | MT Interstate Unit |
| 11. Forward field file to Montana Interstate Unit when Offender is officially accepted by receiving state. | P&P or ISP Officer/
IPPO/Liaison |
| 12. Once a date has been established for departure, complete <i>Notice of Departure</i> and <i>P&P 80-1 Travel Permit</i> and forward to the MT Interstate Unit. | P&P or ISP Officer/
IPPO/Liaison |

G. Offender Disciplinary Action/Absconding:

Offenders on conditional release status, who fail to report as instructed or abscond from supervision will be arrested and provided “due process” according to MCA, 46-23-1023.

Any offender, who violates conditions of his/her Conditional Release, will be subject to a disciplinary hearing. (See P&P 140-1 Adult Offender Discipline & Disciplinary Hearings). A conditional release offender who is found guilty of a disciplinary violation may be returned to a higher level of custody including prison.

For offenders who fail to report as instructed or abscond supervision, officers will use the same procedures used for arresting parole absconders as outlined in *P&P 100-2 Warrant to Arrest Parolees & DOC Offenders on ISP & PRC*.

P&P 100-2 (A) Warrant to Arrest Parolee/Inmate will be issued when there is reasonable cause to believe a violation has occurred, or whenever an offender presents such danger to the community that he/she cannot remain within the community without seriously and/or continuously endangering personal safety and/or the property rights of others.

If it is determined that a warrant is necessary to arrest an offender outside the boundaries of Montana, the officer will contact the Interstate Compact Deputy Administrator, who will get the appropriate information and issue a DOC warrant for the arrest of the offender. The P&P Officer will be required to complete *P&P 140-1 (C) Statement of Charges - Notice of Disciplinary Hearing* to indicate which violations occurred while the offender was under supervision. This notice should indicate dates and times of the violations as this form will be submitted to the correctional facility upon apprehension of the offender to conduct a hearing on the violations. P&P Officers need to use the violation codes outlined in P&P 140-1 Adult Offender Discipline and Disciplinary Hearings. The officer will submit *P&P 140-1 (C) Statement of Charges-Notice of Disciplinary Hearing* along with the field file to the interstate unit for case monitoring.

Once the interstate unit receives the file, the Interstate Unit will maintain the file until such time as the offender is apprehended. If the offender is apprehended within the state of Montana, the Interstate Unit will forward the file and *P&P 140-1 (C) Statement of Charges - Notice of Disciplinary Hearing* to the hearings officer where the offender is incarcerated to conduct a

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disciplinary hearing. If the offender is apprehended out of state, the Interstate Unit will forward *P&P 140-1 (C) Statement of Charges – Notice of Disciplinary Hearing* to the institutional hearings officer. The institutional hearings officer will conduct the Disciplinary Hearing when the offender is apprehended and returned to custody. The officer may need to telephonically testify relative to the violations listed.

If an offender absconds supervision and is apprehended and a hearing is conducted, the hearings officer shall make a finding relative to dead time. The recommendation shall be contained in the hearings summary. Dead time will start from the date that the warrant is issued by the Interstate Office to the date that the offender is detained on the Department's warrant. The CCD Administrator will be the final authority relative to the issuance of dead time. The hearings officer will make a recommendation relative to Dead Time in the *Summary of Disciplinary Hearing*. The summary will be sent to the CCD Administrator for final determination relative to Dead Time. The CCD Administrator will make a finding relative to Dead Time and forward the paperwork to the appropriate parties.

F. Conditional Release Discharges

The Prison Records Department will notify the P&P Offices of upcoming discharges by E-mailing them a copy of the Discharge List each month. All Officers are responsible to review this discharge list to determine if an offender on Conditional Release has an upcoming discharge date and will discharge accordingly.

If the offender is flat discharging their sentence, Montana State Prison Records will forward a *Discharge Certificate* to the Probation & Parole Office to provide to the offender. Officers will notify the MSP Records Department of the offenders address. The Prison Records Department is required by law to notify specific people as well as victims.

If the offender is discharging to a suspended sentence, the P&P Officer will sign the offender up to probation conditions per policy and completed the appropriate ACIS/Profile movements.

Officers need to make sure that they do not enter their probation admission on ACIS/Profiles prior to the offender's discharge to the suspended sentence unless they assure that the "Action Date" is listed as the date of discharge with a time listed in the afternoon.

If the officer does a probation admission prior to the prison doing their discharge entry on the network, the prison discharge entry will block out the probation entry on ACIS/Profiles.

G. Notifications

In the event that the offender moves from one city to another while on conditional release status, the original supervising officer will notify the MSP/MWP Records Department so that Prison Records maintains current information and so that ACIS can be updated. This will also include movements to another city for court purposes.

V. CLOSING: Questions concerning this procedure shall be directed to the Regional Administrator or designee.

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Forms

P&P 60-1 (H)	Wage Garnishment Authorization
P&P 60-12 (A)	Duty to Register Letter
P&P 80-1 (A)	Travel Permit
P&P 130-1 (B)	Interstate Application Fee Waiver Request
P&P 140-1 (C)	Statement of Charges-Notice of Disciplinary Hearing
P&P 150-6 (A&B)	Conditions of Conditional Release
P&P 150-6 (C)	DOC Transfer Form
P&P 150-6 (D)	Notice of Conditional Release to Supervision
P&P 150-6 (E)	Terms and Conditions of Conditional Release Program
P&P 150-6 (F)	Conditional Release - Prerelease Liaison Procedures and Checklist
P&P 150-6 (G)	Conditional Release - ISP Officer Procedures and Checklist
ADR	Admission/Discharge Report
Interstate	Authorization for Release of Medical and Psychological Information
Interstate	Consent to Random Drug or Alcohol Testing and to Searches Based on Reasonable Suspicion
Interstate	Offender's Application for Interstate Compact Transfer
Interstate	Notice of Departure
Interstate	Transfer Request
SVOR	Sexual/Violent Offender Registration Form

*Interstate Forms can also be obtained by going to www.adultcompact.org